UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 8, 2025

The Honorable Betty A. Rosa
Commissioner
New York State Education Department
89 Washington Avenue, Room 111
Albany, NY 12234

Dear Commissioner Rosa:

I am writing in response to the New York State Education Department's (NYSED's) request to the U.S. Department of Education (Department) to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA). NYSED first submitted its request on August 19, 2024 and submitted revised versions between October 10 and December 5, 2024.

I have determined that the amendment requests meet ESEA requirements; accordingly, I am approving New York's amended State plan. A summary of New York's amendment is enclosed. This letter, as well as New York's revised ESEA consolidated State plan, will be posted on the Department's website. Any further requests to amend New York's ESEA consolidated State plan must be submitted to the Department for review and approval.

Please be aware that approval of this amendment is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is New York's responsibility to comply with these civil rights requirements.

Thank you for the work NYSED has invested in its consolidated State plan under the ESEA. If you need any assistance regarding its implementation, please contact the Office of School Support and Accountability at: OESE.Titlei-a@ed.gov.

Sincerely,

Adam Schott
Principal Deputy Assistant Secretary
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

Enclosure
cc: Theresa Billington

Amendment to the New York Consolidated State Plan
The following is a summary of New York's amendment request. Please refer to the Department's website (https://www.ed.gov/about/ed-offices/oese/key-documents) for New York's complete consolidated State plan.

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)

- *Minimum N-size*
  The New York State Education Department (NYSED) changed its minimum number of students (i.e., n-size) for accountability from 30 to 20 students.

- *Academic Achievement Long Term Goals*
  NYSED updated its long term goals for academic achievement for the 2028-2029 school year using new baseline data from school year 2022-2023, and set corresponding new measurements of interim progress (MIPs) using the process established in its previously approved consolidated State plan.

- *Graduation Rate Long Term Goals*
  NYSED updated its long term goals for its 4-, 5-, and 6-year adjusted cohort graduation rates for 2028-2029 using new baseline data for 2022-2023, and set corresponding new MIPs using the process established in the previously approved consolidated State plan.

- *Progress in Achieving English Language Proficiency Long Term Goals*
  NYSED updated its long term goal for progress in achieving English language proficiency (ELP) for 2028-2029 using new baseline data for 2022-2023, and set corresponding new MIPs using the process established in the previously approved consolidated State plan.

- *Academic Achievment Indicator*
  NYSED clarified that its Academic Achievement indicator uses separate reading/language arts (R/LA) and mathematics performance indices. NYSED also clarified that for high school end-of-course assessment results, a student's assessment results are banked until they are used in the accountability system in the fourth year after the student enters ninth grade.

- *Other Academic Indicator*
  - NYSED reintroduced two indicators that the State paused during the pandemic: the measure of academic growth and the science performance index. For the measure of academic growth, NYSED revised it to consider growth from the prior year to the current year (rather than an average over three years).
  - NYSED removed the academic progress measure.
  - NYSED also proposed a change to its Core Subject Performance Index to reintroduce science achievement into the measure after having paused its inclusion during the pandemic. NYSED also revised how it defines performance levels for the indicator to continue to use its currently approved methodology but to maintain cut points for three years (i.e., establish "static" cut points) rather than to change them annually.

- NYSED revised the description of the core subject performance indices (which are used as the Other Academic Indicator for Elementary and Secondary Schools that Are Not High Schools and a School Quality or Student Success (SQSS) indicator for high schools) to note that in the event of extenuating or extraordinary circumstances, the commissioner will average up to three years data to establish the cut points for performance levels in order to stabilize the indicator's performance levels.

- *Graduaion Rate Indicator*
  NYSED clarified that it uses graduation rate data from the prior year for its Graduation Rate indicator in order to include summer graduates in the indicator calculation. Data will be based on data from the four-, five-, and six-year cohorts of students from August 31 of the prior school year.

- *School Quality or Student Success (SQSS) Indicator*
  - For all schools, NYSED replaced its indicator for chronic absenteeism with an indicator for student attendance. The State will calculate an Attendance Index based on the percentage of instructional days attended by each student. NYSED will rank schools based on their school's index score and then assign each school a performance level from one to four. NYSED will maintain cut points for the performance levels for three years (i.e., establish static cut points) as described above for the core subject performance index for elementary and middle schools.
  - NYSED reintroduced its Social Studies Performance Index as part of NYSED's Weighted Average Performance Index for high schools, after having paused the use of the measure during the pandemic. NYSED did not change the previously approved Social Studies Performance Index.
  - NYSED reintroduced social studies achievement to its Core Subject Performance Index for high schools after having paused use of social studies achievement during the pandemic. NYSED revised the weights for the Core Subject Performance Index for high schools, specifically to give a weight of three for each of R/LA and mathematics and a weight of two for each of science and social studies. NYSED will rank schools based on performance on the index and then assign each school a performance level from one to four (i.e., the bottom quartile of schools is assigned level one). NYSED will maintain cut points for the performance levels for three years (i.e., establish static cut points) as described above for the core subject performance index for elementary and middle schools.
  - NYSED reintroduced its College, Career, and Civic Readiness Index (CCCRI) and revised the menu of readiness measures for CCCRI (i.e., added P-Tech and Regents Diploma Requirements, Regents Diploma with Smart Scholars, Regents Diploma with Smart Transfer Early College, and Regents Diploma with Seal of Civic Readiness; split the Regents Diploma with Seal of Biliteracy measure into a Cohort Regents Diploma with Seal of Biliteracy measure and an Annual Regents Diploma with Seal of Biliteracy measure; and removed the measure for Regents Diploma and the receipt of an industry-recognized credential or passage of nationally certified Career and Technical Education examination. NYSED made revisions to use a rank-based system to assign each school a performance level between one and four points. NYSED clarified that it uses its graduation cohort for its CCCRI and clarified it also includes students who obtain a

Regents Diploma and a Seal of Biliteracy in their fifth or sixth year after first entering Grade 9.

- *Annual Meaningful Differentiation (AMD)*
  NYSED revised the series of decision rules it uses in its system of AMD to reflect use of its proposed revised indicators and also adjust how the indicators are included.

- *Alternate Methodology*
  - NYSED revised its process for when it uses its alternate methodology for AMD when results cannot be calculated for all students for one or more indicators for a school. NYSED will use its self-assessment process for AMD for:
    - Elementary and middle schools for which a Weighted Average Achievement Index or Core Subject Performance Index cannot be calculated;
    - High schools for which a Weighted Average Achievement Index cannot be calculated;
    - High schools for which a Core Subject Performance Index and Graduation Rate indictor cannot be calculated;
    - Elementary and middle schools for which a growth index, Progress in Achieving ELP indicator, and Attendance indicator cannot be calculated; and
    - High schools for which a Progress in Achieving ELP, Attendance, and CCCRI indicator cannot be calculated.
  - For schools with small numbers of assessed students, NYSED will apply its revised minimum student group size to determine whether to use its alternate methodology for the school.

- *Comprehensive Support and Improvement (CSI)-Lowest 5 percent*
  NYSED revised the series of decision rules it uses to identify the lowest-performing five percent of Title I schools for CSI-Lowest performing to reflect its revised system of AMD.

- *Frequency of Identification-CSI*
  NYSED clarified that, starting with the 2025–2026 school year, and based on 2024–2025 school year data, it will identify CSI schools every three years.

- *Additional Targeted Support and Improvement (ATSI)*
  NYSED revised its methodology for identifying schools for ATSI to identify any school that has a student group whose performance on its own would have caused the school to be identified for CSI using the State's revised methodology for identifying schools for CSI.

- *Targeted Support and Improvement-Consistently Underperforming Student Groups (TSI)*
  NYSED revised its methodology for identifying schools for TSI to use the same methodology it uses to identify schools for ATSI, and to identify schools when one or more student groups meets the criteria for three consecutive years.

- *Additional Statewide Categories*
  - NYSED added two additional Statewide categories of identified schools: Potential Targeted Support and Improvement 1 (PTSI-1) and Potential Targeted Support and Improvement 2 (PTSI-2).
  - NYSED also removed text indicating that it will identify schools for recognition using criteria established by the Commissioner.

- *Annual Measurement of Achievement*
  NYSED updated its descriptions of how it addresses participation rates below 95 percent. The State will continue to adjust the Academic Achievement indicator as required under ESEA section 1111(c)(4)(E).

- *CSI Exit Criteria*
  - NYSED revised its exit criteria for schools identified for CSI-Low graduation rate to require a 4-, 5-, or 6-year cohort graduation rate above 67 percent for two consecutive years.
  - NYSED also revised its timelines for exit criteria for CSI schools to make schools eligible to exit if they meet exit criteria in the second year following identification or any year thereafter.

- *ATSI Exit Criteria*
  - NYSED revised its exit criteria for ATSI schools to require that the identified student group not meet identification criteria and either: (1) the student group's Weighted Average Achievement Index or Core Subject Performance Index is higher than at the time of identification, or (2) the school's unweighted average 4-, 5-, and 6-year graduation rate is higher than at the time of identification.
  - NYSED also revised its timelines to make ATSI schools eligible to exit if they meet exit criteria in the second year following identification or any year thereafter.
  - NYSED also revised its exit criteria for TSI schools. Schools identified for TSI will exit after two years if the identified student group no longer meets the identification criteria.

- *Other Continued Support*
  - NYSED revised its description of what data it will consider when it conducts resource allocation reviews in LEAs serving a significant number of identified schools.
  - NYSED also revised its description of the technical assistance it will provide to these LEAs, including a description of its continuum of support.
  - NYSED also revised its definition of "Target Districts," (i.e., the LEAs considered by the state to serve a significant number of identified schools) to any LEA that includes a CSI, ATSI, or TSI school.